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**PATENT** 

#### N THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: VOGEL et al.

CASE NO: AD6728 US NA

**APPLICATION NO.: 09/833,452** 

**GROUP ART UNIT: 1773** 

FILED: **APRIL 12, 2001** 

EXAMINER: JACKSON, MONIQUE R

FOR:

MULTI-LAYERED, CO-EXTRUDED IONOMERIC DECORATIVE

**SURFACING** 

#### **AFFIDAVIT UNDER RULE 131**

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
Sir:
State of \_\_Delaware\_\_\_\_\_\_)
S.S.

County of New Castle

Randall Allen Vogel, being duly sworn, deposes and says:

- 1. I am an applicant of the patent application identified above and a co-inventor of the subject matter described and claimed therein.
- 2. Prior to October 13, 1999, I had completed my invention as described and claimed in the subject application in this country, as evidenced by the following:

Exhibit A, attached hereto, is a photocopy of the SANO RUN SHEET number 426. The SANO equipment is a co-extruder located at DuPont's Chestnut Run facility in Wilmington, Delaware. The requester of this run is myself ("R. Vogel") and the charge code identifies the DuPont "Surlyn" division within DuPont. The FCL code (991012-4) identifies this particular run as occurring in the year 1999, the tenth month "October" and on the twelfth day. The "4" identifies the run as being the fourth of the day.

This particular run identifies three co-extruded polymer layers consistent with the instant claim language. Layer 1 ("9910 Nat.") is clear natural Surlyn 9910. The second co-extruded layer 2 ("Surlyn 9910 Pewter") is pigmented Surlyn 9910 containing a 6% pewter colored pigment concentrate (see comments to the right side of the run sheet). The third layer 3 ("Bexloy W720") is a Surlyn® and Polyethylene alloy blend commercially sold by DuPont into the automotive industry. The remaining data identifies the operating parameters,

Application/Control Number: 09/375,046

Art Unit: 1712

Exhibit B, also attached hereto, is a photocopy of the SANO RUN SHEET describing the production of a two layered co-extruded sheet performed on August 13<sup>th</sup> of 1999. This two-layered embodiment is consistent with the teaching of the reference of record and also illustrates the concept of a top clear Surlyn® layer co-extruded with a green pigmented Surlyn and polyethylene blend layer.

Randal Allen Voge

Sworn to and subscribed before me this 5 <sup>th.</sup> day of August 2004

NOTARY PUBLIC

MARGARET K. LILLY
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Apr. 28, 2006

426

REQUESTER  CHARGE CODE  CHARGE CODE  CHARGE CODE  RESINS (TEMP IN °F)  EXTR.A LAYON   EXTR.B LAYON 3 EXTR.C LAYON TYPE  TYPE 99/0 List. TYPE 20x10x W72D TYPE Surfur 93/0 FUND TYPE  CODE CODE CODE CODE CODE  GENERIC GENERIC GENERIC GENERIC  DENSITY DENSITY DENSITY DENSITY  MAX. TEMP. MAX. TEMP. MAX. TEMP. MAX. TEMP.  MIN. TEMP. MIN. TEMP. MIN. TEMP. MIN. TEMP.  SAFETY CONSIDERATIONS:  LINE SPEED - FEET PER MINUTE (p. 5  EXTR. A EXTR. B EXTR. C EXTR. D COMMENTS  SAFETY CONSIDERATIONS:  LINE SPEED - FEET PER MINUTE (p. 5  EXTR. A PRESS. PRESS. PRESS.   PRESS.   1 - 99/0    R.P.M. R.P.M. R.P.M. R.P.M. R.P.M.   3 - 94/0    MELT °F MELT	
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09/833452

AD6728USNA

Response (8 pages)

Affidavit Under Rule 131 (2 pages)

Exhibit A

Exhibit B

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